

Exhibit B

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IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CIVIL TRIAL DIVISION
- - -

MARK WEBB, ADMINISTRATOR : MAY TERM, 2011
FOR THE ESTATE OF SABINO :
WEBB, DECEASED :

VS. :

VOLVO CARS OF NORTH :
AMERICA, LLC, VOLVO CARS :
CORPORATION, GRACO :
CHILDREN'S PRODUCTS, :
INC., WILLIAM JULILAN :
AND ANA SOARES : NO. 0208

- - -
JURY TRIAL
MORNING SESSION
- - -

November 5, 2013
Courtroom 483, City Hall
Philadelphia, Pennsylvania
- - -

BEFORE: THE HONORABLE JOHN MILTON YOUNGE, J.
- - -

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2 APPEARANCES:

3 FRANCIS ALEXANDER, LLC
4 BY: FRANCIS ALEXANDER MALOFIY,
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6 Attorney for Plaintiff

7 THE BEASLEY FIRM, LLC
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21 et al

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Reported By: Glenn Kaplan, RPR-RMR
Official Court Reporter

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10:23AM

1 **A. Webb - Direct Examination**

11:22AM 2 MR. MALOFIY: This book I believe came
11:22AM 3 from --

11:22AM 4 THE COURT: Where did your client get
11:22AM 5 it from?

11:22AM 6 MR. MALOFIY: Well, my client didn't
11:23AM 7 get it.

11:23AM 8 THE COURT: Well, you're going to have
11:23AM 9 to acknowledge that also, counsel. Your client
11:23AM 10 never had this book.

11:23AM 11 MR. MALOFIY: She saw it once, she saw
11:23AM 12 the text at once --

11:23AM 13 THE COURT: Where?

11:23AM 14 MR. MALOFIY: She can testify, I don't
11:23AM 15 know.

11:23AM 16 THE COURT: Yes, you do. What do you
11:23AM 17 mean, you don't know?

11:23AM 18 MR. MALOFIY: I am telling you --

11:23AM 19 THE COURT: What do you mean you don't
11:23AM 20 know, you're her lawyer. What do you mean she
11:23AM 21 doesn't know? You know everything what your
11:23AM 22 client is going to say.

11:23AM 23 MR. MALOFIY: I can't say everything.
11:23AM 24 I read an article from twenty years ago, I
11:23AM 25 can't say what I read, you know, any piece of

A. Webb - Direct Examination

1 literature. I know I read it, but I don't know
2 when. And that's -- it's a fair answer, it's a
3 fair answer for cross examination.
4

5 Mr. Wickersham is a tremendous lawyer,
6 he can go up there and say that hey, this is
7 Volvo's trademark, but hey, it doesn't mean
8 it's Volvo. He can say it's Volvo from UK, but
9 that's not us. And I am going to show your
10 corporate designation up there, it's a hundred
11 percent owned, managed and controlled. And Mr.
12 Wickersham is their lawyer, and he knows what's
13 goings on, and he knows it has been put out.
14 Did they do any recall, they do any corrective
15 action? And they say, hey, you can't come up
16 with this false add. He says, as long as we
17 put money in our pockets it's okay, the same
18 Volvo 850.

19 There's only one product that have
20 plaintiff's, it's the same product, Volvo,
21 Volvo, Volvo. No disclaimer, nothing else.
22 Not from this off ramp car, or repackaged car,
23 it's selling a Volvo. I mean I couldn't tell
24 you whether any book I read. I read Jerry
25 Francis book, I read any of these trial books.

A. Webb - Direct Examination

11:24AM 1 I couldn't tell you when I read them. I know I
11:24AM 2 read them. How can I say something from
11:24AM 3 ten years ago, does that time go into my
11:24AM 4 decision making progress, and pinpoint.

11:24AM 5 You know, Mrs. Webb knows that she was
11:24AM 6 going to be in an accident and loss her child,
11:24AM 7 and say it in a book? No. I think it's fair,
11:24AM 8 and Mr. Wickersham is a tremendous lawyer, he
11:24AM 9 could cross at his delight. Cross, and say
11:24AM 10 that's not Volvo, that's some road company in
11:24AM 11 the UK he represented. And he sign the
11:24AM 12 disclosures in Federal court saying, Volvo Cars
11:24AM 13 of UK, a hundred percent owned, operated,
11:24AM 14 controlled, managed, by who? Volvo Car
11:25AM 15 Corporation.

11:25AM 16 They have a trademark? Yes. Did they
11:25AM 17 have to be allowed to be used the trademark?
11:25AM 18 Of course they did. What are we, playing games
11:25AM 19 with this? This is a joke. It's a shame.

11:25AM 20 THE COURT: Excuse me. You know what,
11:25AM 21 you better be very careful. Now, listen to
11:25AM 22 this nonsense that you talked about, you better
11:25AM 23 be very careful, you accuse this court of
11:25AM 24 playing games. You run your mouth too much.
11:25AM 25

A. Webb - Direct Examination

11:25AM 2 And sometimes you don't know when to stop, and
11:25AM 3 you need to learn when to stop, because
11:25AM 4 everybody is not going to take that from you.

11:25AM 5 MR. MALOFIY: Yes, Your Honor.

11:25AM 6 THE COURT: Somehow I think you think
11:25AM 7 people are afraid of you or something. I don't
11:25AM 8 know, but you better be clear, I am not taking
11:25AM 9 that. Do not accuse me of playing games with
11:25AM 10 you. I don't play games.

11:25AM 11 MR. MALOFIY: Just to be clear --

11:25AM 12 THE COURT: Excuse me. I don't play
11:25AM 13 games. Be very careful when you start dealing
11:25AM 14 with that kind of nonsense out of your mouth.
11:25AM 15 Sometimes you don't know when to zip it, and
11:25AM 16 you need to learn.

11:25AM 17 I will think about it. But right now
11:25AM 18 you can't tell me when your client ever saw
11:26AM 19 this. And I am not sure she ever did. I am
11:26AM 20 not sure she ever saw it.

11:26AM 21 MR. MALOFIY: I don't know.

11:26AM 22 (A recess was called at 11:26 a.m.)

11:36AM 23 THE COURT: Objection sustained. You
11:36AM 24 may be able to get this in through one of your
11:36AM 25 experts, but not through this witness.

A. Webb - Cross Examination

11:36AM 2 You may have Mrs. Webb come back.

11:36AM 3 Anyone going to get your witness?

11:37AM 4 MR. MALOFIY: I am sorry. Yes.

11:38AM 5 (The proceedings were recommenced at
11:39AM 6 11:38 a.m.)

11:39AM 7 THE COURT: Proceed.

11:39AM 8 MR. MALOFIY: No further questions of
11:39AM 9 my witness.

11:39AM 10 THE COURT: Cross examine.

11:39AM 11 - - -

11:39AM 12 CROSS-EXAMINATION

11:39AM 13 - - -

11:39AM 14 BY MR. WICKERSHAM:

11:39AM 15 Q. Thank you.

11:39AM 16 Good morning, Mrs. Webb?

11:40AM 17 A. Good morning.

11:40AM 18 Q. You don't recall me, my name is Bruce
11:40AM 19 Wickersham, the attorney for Volvo. You and I first
11:40AM 20 met when you came into answer questions about the
11:40AM 21 accident before all the lawyers in July of 2012. Do
11:40AM 22 you remember that?

11:40AM 23 A. Yes.

11:40AM 24 Miss Webb, obviously we have to talk a
11:40AM 25 little bit about the accident that we're here for